

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHAWN C. SHARP,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 00-2156
)	
SUPERINTENDENT PHILIP L.)	
JOHNSON, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Presently before the Court is Plaintiff's Motion for a Temporary Restraining Order. Plaintiff alleges that while an inmate at SCI-Pittsburgh and SCI-Greene he was accorded a hair exemption by the Department of Corrections (DOC), which exempted him from DOC's requirements concerning length of hair based on his professed religious beliefs. Plaintiff seeks to restrain unidentified DOC personnel at SCI-Dallas, which facility is located in Luzerne County within the jurisdiction of the United States District Court for the Middle District of Pennsylvania, from ordering him to cut his hair. It is alleged that SCI-Dallas officials have ordered Plaintiff to cut his hair and are harassing him because he refuses to do so based on his religious faith. Plaintiff "believes" that the actions by the DOC at SCI-Dallas are directly related to the instant lawsuit, which concerns his Muslim faith and practices. *Plaintiff's Motion for a Temporary Restraining Order*, ¶ 4. Plaintiff offers no facts in support.

Plaintiff's Motion (doc. 94) is hereby DENIED inasmuch as he has failed to set forth sufficient facts by affidavit or otherwise to demonstrate that the Defendants in the instant litigation are in any way involved in the dispute at SCI-Dallas. In fact, Plaintiff concedes that

“[he] does not at this time have direct evidence that named individual Defendants in this action are influencing the officials at SCI-Dallas in regard to the harassment and intimidation but suspects that such is the case.” *Id. at* ¶ 5. Such “suspensions” are an insufficient basis upon which the Court could support the imposition of injunctive relief. Moreover, it appears that Plaintiff has initiated the administrative grievance process at SCI-Dallas and, of course, is free to file a civil action against SCI-Dallas officials, in the proper forum, at an appropriate time.

SO ORDERED this 21st day of December, 2006.

/s/ Amy Reynolds Hay
AMY REYNOLDS HAY
United States Magistrate Judge

cc: Raymond Sanchas, Esquire
Suite 300
Allegheny Building
429 Forbes Avenue
Pittsburgh, PA 15219

Scott A. Bradley, Esquire
Susan J. Forney, Esquire
Office of the Attorney General
564 Forbes Avenue
6th Floor, Manor Complex
Pittsburgh, PA 15219